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OFFICE OF PETITIONS

CORNING INCORPORATED
SP-TI-3-1
CORNING, NY 14831

In re Application of	:	
Bruce G. Aitken et al	:	
Application No. 10/823,331	:	DECISION GRANTING PETITIONS
Filed: April 13, 2004	:	UNDER 37 CFR 1.137(b) AND
Attorney Docket No. SP03-049A	:	37 CFR 1.313(c)(2)

This is a decision on the petitions, filed October 24, 2007, under 37 CFR 1.137(b), to revive the above-identified unintentionally abandoned application and on the petition under 37 CFR 1.313(c)(2) to withdraw the above-identified application from issue.

The petitions are **GRANTED**.

As to the petition under 37 CFR 1.137(b):

This application became abandoned for failure to timely pay the issue on or before September 7, 2006, as required by the Notice of Allowance and Fee(s) Due, mailed June 6, 2006.

The petition satisfies the conditions for revival pursuant to the provisions of 37 CFR 1.137(b) in that petitioner has submitted (1) payment of the \$1440 issue fee, (2) the petition fee of \$1540 and (3) an adequate statement of unintentional delay. 37 CFR 1.137(b)(3) requires a statement that "the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional."

As to the petition under 37 CFR 1.313(c)(2):


Petitioner requests withdrawal of this application from issue for consideration of a submission under 37 CFR 1.114.

The petition satisfies the requirements of 37 CFR 1.313(c)(2). Accordingly, this application is withdrawn from issue for consideration of a submission under 37 CFR 1.114 (RCE).

Petitioner is advised that the issue fee paid in this application cannot be refunded. If, however, this application is again allowed, petitioner may request that it be applied towards the issue fee required by the new Notice of Allowance.¹

Telephone inquiries should be directed to Irvin Dingle at (571) 272-3210.

This matter is being referred to Technology Center AU 2879 for processing the RCE and for consideration of the Information Disclosure Statement submitted on October 24, 2007.


Irvin Dingle
Petition Examiner
Office of Petitions

¹ **Error! Main Document Only.** *The request to apply the issue fee to the new Notice may be satisfied by completing and returning the new Part B – Fee(s) Transmittal Form (along with any balance due at the time of submission). Petitioner is advised that the Issue Fee Transmittal Form must be completed and timely submitted to avoid abandonment of the application.*